

KENTUCKY BOARD OF DENTISTRY

LAW ENFORCEMENT COMMITTEE MEETING

October 10, 2008

CALL TO ORDER

The Law Enforcement Committee meeting was called to order at 9:00 a.m. A motion was made by Dr. Allen to go into closed session pursuant to KRS 61.810(1) (c) and (j). Dr. Boggess seconded the motion. All were in favor. A motion was made by Dr. Allen to come out of closed session. Dr. Boggess seconded the motion. All were in favor. A motion to adjourn was made by Dr. Boggess. Dr. Allen seconded the motion. The committee meeting adjourned at 3:30 p.m.

LAW ENFORCEMENT COMMITTEE MEETING

November 7, 2008

CALL TO ORDER

The Law Enforcement Committee meeting was called to order at 9:00 a.m. A motion was made by Dr. Allen to go into closed session pursuant to KRS 61.810(1) (c) and (j). Dr. Boggess seconded the motion. All were in favor. A motion was made by Dr. Allen to come out of closed session. Dr. Boggess seconded the motion. All were in favor. A motion to adjourn was made by Dr. Boggess. Dr. Allen seconded the motion. The committee meeting adjourned at 3:00 p.m.

BOARD MEETING

November 8, 2008

CALL TO ORDER

President William Boggess, D.M.D. called the meeting to order at 9:12 a.m. There was a determination of a quorum.

ROLL CALL

Present Board members were David Narramore, D.M.D.; Jim Allen, D.M.D.; William Boggess, D.M.D.; Hank Sleet, D.M.D., M.D., Julie Gaskill, D.D.S., Dianne Embry, R.D.H.; Susan M. King, D.M.D., and Allan Francis, Consumer Member. Staff present were Brian K. Bishop, Executive Director; Mark Brengelman, Board Counsel; Lisa A. Turner, Executive Staff Advisor and Marquetta Poynter, D.M.D.

VISITORS

Dr. Melanie Peterson

Dr. Steven Katkowsky, M.D., Northern Kentucky Health Department

Carrie Gould, R.D.H., Northern Kentucky Health Department

Dr. Fonda Robinson University of Kentucky

Mr. Robinson

Donna Ruley, R.D.H.

APPROVAL OF MINUTES

Dr. Narramore motioned that the Minutes of the September 12, 2008 Board Meeting be accepted. Dr. Sleet seconded the motion. All were in favor.

DIRECTOR'S REPORT

Mr. Bishop presented the year-to-date budget report in fiscal year 2009.

Dr. Narramore motioned that the charitable license fee be waived under KRS 313.254 Section (7), for the organization of RAM for dentists and dental hygienists who have at least one year experience with RAM and at least three years practice experience and no faculty or students without getting prior approval from the Board as long as the charitable license application is filed in a timely fashion. Dr. Gaskill seconded the motion. All were in favor.

Mr. Francis motioned that disciplinary action summaries previously included in the newsletter be instead posted online with the Settlement Agreement in pdf format for final Board actions taken from July 2008 forward. Dr. Narramore seconded the motion. All were in favor. The Board concluded that a newsletter article be included in the Spring 2009 newsletter detailing this change and also posted on the website. In lieu of the disciplinary blurb, the newsletter is to include just the licensee's name and the type of violation (i.e. felony conviction, standard of practice).

Dr. Narramore motioned that the Board create an online Shared Events Calendar and that a Legislative Changes Notice posting also be created. Dr. Gaskill seconded the motion. All were in favor.

Mr. Bishop announced the Fall 2008 Kentucky Dental Summit will be held here at the Board office on November 17, 2008 and invited any interested parties to attend.

Mr. Bishop addressed the issue of Board members discussing specific licensee's Board issues as a conflict of interest. Mr. Brengelman clarified that only the black letter of the law should be discussed when licensees contact individual Board Members for advice.

COMMITTEE REPORTS

Credentials Committee

Dr. Gaskill motioned that a dental hygiene license by credentials be issued to Jennifer Griffin, Lila Massey, JoAnn McQueary. Dr. Narramore seconded the motion. All were in favor.

Dr. Gaskill motioned that a general dentistry license by credentials be issued to Robin Bonnell, William Culley, and Charles Randolph (who completed his C.E. requirements from his previous application interview). Dr. Narramore seconded the motion. All were in favor.

Dr. Gaskill motioned that a general dentistry license by credentials be issued to Keith Little.

Mr. Francis seconded the motion. All were in favor.

Dr. Gaskill motioned that a general dentistry license by credentials be issued to Harty Mercer contingent upon the credentialing committee's receipt and approval of a practice plan by the May 2009 Credential's Meeting (within six months time). Mr. Francis seconded the motion. All were in favor.

Law Enforcement Committee

Dr. Narramore motioned that the closed case report be accepted. Dianne Embry seconded the motion. All were in favor.

Drs. King and Sleet agreed to serve as Hearing Officers on 1/14/09 for Case Number 08-13.

05-139 Dr. Allen moved for the reinstatement of licensure with conditions as stated in the Settlement Agreement be granted. Dr. Gaskill seconded the motion. All were in favor.

01-112, 13-17 Dr. Allen moved for the preliminary denial of reinstatement of licensure based upon the licensee's meeting with the Law Enforcement Committee on November 7, 2008, reserving for the licensee all rights to due process with the right of appeal of said denial. Mr. Francis seconded the motion. All were in favor.

07-55 Dr. Allen moved to file a Notice of Administrative Hearing and Order. Dianne Embry seconded the motion. All were in favor.

08-116 Dr. Allen moved to file a Notice of Administrative Hearing and Order. Dr. Gaskill seconded the motion. All were in favor.

08-35 A through J Dr. Allen moved to accept the Settlement Agreements. Dr. Gaskill seconded the motion. All were in favor.

07-76 Dr. Allen moved to accept the Settlement Agreement. Dr. Sleet seconded the motion. All were in favor.

Brian Fingerson's report was included in the Law Enforcement Committee's Report to the Board.

The Law Enforcement Committee discussed the legal perspective for moving forward with teeth whitening as practicing dentistry and dental hygiene without a license.

NEW BUSINESS

New framing license signatures were added to the template used by staff to print new licenses.

The Board Members and Board Counsel who attended the AADE in San Antonio shared information on national trends in dental education, examinations and dentistry.

New Committee Assignments were made by the Board President.

Licensure of the 2008 graduating class was revisited by Dr. Boggess who proposed offering an alternative to the students who failed the PATP portion of the WREB exam.

Mr. Bishop provided a status report of dental hygiene renewals.

The Northern Kentucky Health Department addressed the Board. Dr. Sleet motioned that dental hygienists who are employed by the health department be allowed to provide a fluoride varnish without a dentist being present under KRS 313.310 (5), to preschool and kindergarten children who supply parental consent; also the dental education from the health department will continue to be provided. Dr. Narramore seconded the motion. All were in favor.

Mr. Francis motioned that the Board sponsor Dianne Embry's trip to the American Dental Hygiene Association Conference. Dr. Gaskill seconded the motion. All were in favor.

There being no further business, Dr. Narramore motioned that the meeting be adjourned. Dr. Gaskill Seconded the motion. All were in favor. The meeting was adjourned at 11:50 a.m.

APPROVED:

William Boggess, D.M.D.
President

Dianne Embry, R.D.H.
Vice President